

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No.: 04-11939-JGD

MICHAEL J. WHALON,

Plaintiff,

v.

CHRISTY'S OF CAPE COD, LLC,

Defendant.

DEFENDANT'S CERTIFICATION OF COMPLIANCE WITH L.R. 16.1(D)(3)

Pursuant to LR 16.1(D)(3), Defendant Christy's of Cape Cod, LLC, ("Defendant") and its attorneys hereby certify that they have conferred regarding: (1) establishing a budget for the costs of litigation; and (2) consideration of resolving the instant matter through the use of alternative dispute resolution programs outlined in LR 16.4.

Respectfully submitted,

Defendant:
Christy's of Cape Cod, LLC,

By: Patrick McKeown
Patrick McKeown
Executive Vice President

Counsel for Defendant:
Murphy, Hesse, Toomey & Lehane, LLP

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